



Special Educational Needs and Disability *Tribunal*

Information about schools

This leaflet is designed to help you prepare your case where there is disagreement about the school or type of school named in a child's statement of special educational needs.

The tribunal that hears the appeal will want to know as much information as possible about the school or educational setting you are proposing can meet his or her educational needs.

Generally it is for you to decide what evidence to provide. You should though have in mind that for any school we are asked to consider we will need basic information about it. A prospectus, OFSTED report or other written evidence about the school can help.

Where we need specific information, such as evidence that a place is available at the school, we will write to both parties explaining what we need.

What should parents tell us?

It is important you think about how the school or setting you have suggested will meet your child's needs. You may already have told us your reasons in your original appeal. If you have you don't need to tell us these again but you should consider carefully why you want your child to go to the school you are suggesting rather than the school or type of school named in the statement.

We will need different information about different types of school. At page 5 of this leaflet we have set out some simple descriptions of the different types of schools we are most frequently asked to consider. These give an indication of the information the tribunal considering your appeal will need and an idea of when we can order a placement.

The tribunal can only make a decision on the basis of information provided in writing or spoken at the hearing. If you are asking for a placement at a school that is maintained by the LEA, the school and the LEA should be able to help you obtain the information we suggest you supply in your case statement on pages 2 and 3 of this guidance. They should also be able to help you provide the information about costs we set out on page 6. You can include the form with your case statement if you wish.

If you are asking for a place at another type of school, the head teacher may be able to answer these questions and help you fill in the form.

You should also give careful thought to any witnesses you bring along to the tribunal hearing. Someone who can answer the questions we set out in this guidance is likely to be helpful to the tribunal.

What should LEAs tell us?

You should make sure that your case statement deals with as many of the questions as you can that are set out in this leaflet. Pages 2 and 3 outline the information that is likely to help the tribunal deciding the appeal. The tribunal will also need to know the cost of the place you are proposing. We have provided a check list at page 6 to help you set this out, which you may find helpful. You can send us a copy of this with your case statement if you wish.

You should also give careful thought to any witnesses you bring along to the tribunal hearing. Someone who can answer the questions we set out here is likely to be helpful to the tribunal.

What we need to know

About the school

The tribunal needs basic evidence about any school it is asked to consider.

- What type of school is it?
- How many pupils are there?
- How many pupils can the school take?
- How many children have special educational needs?
- How many are receiving support at School Action or School Action Plus?

- How many have statements of special educational needs?
- How big are the classes or other teaching groups?
- What are the range and nature of difficulties of the other pupils in the class or group?
- What relevant qualifications and experience do the staff have?
- Does the school teach the full National Curriculum?

About the child's education

In addition, the tribunal will need information more directly relevant to the child.

- What support is proposed?
- What size class and teaching groups would the child join?
- How many adults will look after him or her?

- What qualifications and experience do the people providing support have?
- Does the school specialise, or have experience, in teaching children with the special educational needs the child has?
- What curriculum and educational programmes will be delivered?
- What arrangements are in place for the parent and school to cooperate?

Other types of provision

If for all or some of the time education in a setting other than a school is proposed we will have to be sure that education in a school is not appropriate.

Where for example it is suggested that education should be at home, at a Pupil Referral Unit (PRU), or provided through a programme such as Lovaas (which may combine both home and school settings) we will need to know:

- Why you think it would not be appropriate for the child to be educated in a school?
- What detailed arrangements are you suggesting?
- How much would this cost?
- Is this a short term arrangement?

Summarise the benefits to the child of the alternative provision.

Residential

If a residential placement is an issue, is this necessary for educational reasons? What are they?

Travel to and from school

Although transport is not an educational need, transport costs may affect our decision. We may need to know:

- What is proposed?
- How long will the journeys take?
- Whether it will be by taxi, bus or public transport.
- Whether it will be with an escort.
- The estimated cost?
- Is it an additional expense or is there an existing service?

Schools outside England

If you suggest a school outside England you will need to show that it is a school which specialises in teaching children with special educational needs. A tribunal will only name the school in a statement if the school has indicated that it will admit the child.

Cost

The cost of provision can be important. We have to consider the effect of our decision on the LEA's resources. It would help us if you could provide as much information as you can about what costs the LEA will face if we name the school.

To help us decide between the costs of educating a child at two or more schools or other settings we have provided a check list at the end of this leaflet for you to complete. You do not have to use this form and can present the information in a different way if you wish. But we will need the information for any school or setting you are asking us to consider, and hope that the suggestion is helpful to you.

Changes to the appeal

A change of school proposed

If parents ask to change the appeal to name a new school and we agree, we will need full information about the new school.

Parents should also confirm that the new school has been informed that the Tribunal has been asked to name it in the statement. We may give more time to both parties to collect details and evidence about the school, although this is not automatic.

Can we help?

If you feel that anything is unclear in the guidance we have given you please get in touch. You can find the contact details of the clerk who is dealing with this appeal in our letters to you.

You can help us

We are committed to providing a high quality service. One of the ways we can continue to improve is by listening and responding to you. We welcome your comments on this guidance, or indeed on any aspect of our service.

You should address your comments to the Tribunal Standards Manager at:

SENDIST
Procession House
55 Ludgate Hill
LONDON
EC4M 7JW

Or you can contact us by e-mail at:

sentstandards@sendist.gsi.gov.uk

You do not need to give your name, but if you do we will acknowledge your comments and if we can respond to the points you raise.

Types of school

LEA maintained

There are three types of mainstream schools maintained by local education authorities: community, foundation and voluntary (divided into controlled and aided schools). Some are designated specialist schools, specialising for example in the arts, languages or science but this does not affect their status. LEAs also maintain their own special schools. Provided parents have told the school that they want it named in the statement then we can order a placement should we decide to.

Independent schools

These are usually privately owned schools funded by fees. Independent schools and independent special schools are free to administer their own admissions policies and we will only name one in a statement if the school has confirmed in writing that it will admit the child. We will ask for evidence that the school has a place for the child, and in some cases we will require special permission to be given for a child to attend an independent school which does not have automatic approval for this. Parents will need to apply for that permission from the Department for Education and Skills (DfES). We will write and explain how to do this.

Non-maintained Special Schools

These are special schools that are not funded by an LEA or the government but charge fees on a non-profit making basis. Most are run by charities or charitable trusts. They provide education for children with particular types of special educational needs for which they have approval. A tribunal will only name a non-maintained school in a statement where the school has indicated that it will admit the child. We will ask for evidence that a place is available.

City Technology Colleges (CTCs)

These are funded directly by central government and commercial sponsors. CTCs operate their own admissions procedures and a tribunal will only name a CTC in a statement where the college has indicated that a place is available and we have evidence that it can meet the child's needs. Parents will need to provide this evidence.

Academies

These are publicly funded independent schools, independent of the LEA and financed directly by central government with sponsorship from the private and voluntary sectors. Admission arrangements must take account of the legal requirements with regard to special educational needs and admissions, as they apply to maintained schools. Although academies are not part of any LEA we can order a placement should we decide to do so. Parents should therefore ask the academy for the information which we will need and its views on whether it is a suitable placement. A report from the academy on the suggested admission of the child would be helpful.

The cost of the school placement(s) proposed

School name (or type of provision)

Type of school

Cost of educating a child at the school

Cost of a standard place in the school

Maintained school

(The amount the school receives for each pupil of that age – its 'Section 52' budget statement should help)

Maintained special school

(The amount the school receives for a place or to provide the education set out in the child's statement – its 'Section 52' budget statement should help)

[For maintained schools LEAs should provide details of the funding method it employs]

Independent or non maintained school

(The standard annual fees or relevant banding for a pupil)

Other types of school

(The funding the school receives for each pupil or its standard annual fees for a pupil)

Cost of any additional support not covered above

Such as extra classroom assistance, therapies, additional equipment or aids (please list each item, over the page if necessary with a total here)

Boarding costs

Any extra costs linked to a residential place not covered above

Transport costs

Taxi

Bus

Public transport

Escort or other helper

Number of journeys - each week or term

Any costs not covered above

Total